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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,047	07/16/2003	Mihir Y. Sambhus	03226.428001	2269
32615	7590	05/01/2006	EXAMINER	
OSHA LIANG L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			DEBROW, JAMES J	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/622,047

Applicant(s)

SAMBHUS ET AL.

Examiner

James J. Debrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: application filed 13 Feb 2006.
2. Claims 1-29 are pending in the case. Claims 1, 6, 14, and 22 are independent claims.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Leamon et al. (hereinafter “Leamon”), US 2002/0107891 A1 provisional filed 2/6/2001.**

**Regarding independent claim 1**, Leamon discloses receiving content from a plurality of channels in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029]. The plurality of channels comprising both rendering providers and non-rendering providers ([0019]-[0021]; Leamon discloses the content may be displayed on a client in a predictable and uniform format regardless of the type of user device that requests the information. Leamon further discloses the rendering engine operates on pre-formatted information into a display format compatible with a particular client. The Examiner concludes this concept is identical to the rendering and non-rendering concept as described in the current invention). Leamon discloses aggregating the content from the channels using an aggregator, the aggregator configured to process the content using a first markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

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Leamon discloses processing the aggregated content using a rendering engine, the rendering engine configured to output the aggregated content in a second markup language tailored for a client device and outputting the aggregated content in the second markup language to the client device in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029]. Leamon specifically discloses a portal which can aggregate information sources in fig. 2, 6, and paragraphs [0021] and [0028].

**Regarding dependent claim 2**, Leamon discloses wherein the first markup language is a standardized markup language such as abstract markup language in fig. 2 and paragraphs [0019]-[0021]. Leamon discloses that standard languages may be

**Regarding dependent claim 3**, Leamon discloses wherein the second markup language is a device specific markup language in accordance with the requirements of the client device in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

**Regarding dependent claim 4**, Leamon discloses wherein the content received from the plurality of channels includes standardized markup language based pages such as abstract markup language based pages in fig. 2 and paragraphs [0019]-[0021].

**Regarding dependent claim 5**, Leamon discloses wherein the content received from a plurality of channels includes content in the second markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029]. Leamon discloses that the content providers can provide proprietary content and therefore proprietary content in the second markup language would not require translation to the second markup language.

**Regarding independent claims 6, 14, and 22**, Leamon discloses providing a first channel having content in a first markup language, wherein the first channel is a

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rendering provider and providing a second channel having content in the first markup language, wherein the second channel is a non-rendering provider, in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029]. Leamon discloses aggregating the first channel content with the second channel content to form a first document in the first markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

Leamon discloses post-processing the first document to form a second document in a second markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

Leamon specifically discloses a portal which can aggregate information sources in fig. 2, 6, and paragraphs [0021] and [0028].

**Regarding dependent claims 7, 15, and 23,** Leamon discloses wherein the first channel is a rendering channel and second channel is a non-rendering channel paragraphs [0019]-[0021] and [0025]-[0029] Leamon discloses the content may be displayed on a client in a predictable and uniform format regardless of the type of user device that requests the information. Leamon further discloses the rendering engine operates on pre-formatted information into a display format compatible with a particular client. The Examiner concludes this concept is identical to the rendering and non-rendering concept as described in the current invention).

**Regarding dependent claims 8, 16, and 24,** Leamon discloses wherein the second channel has content in the second markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029]. Leamon discloses that the content providers can provide proprietary content and therefore proprietary content in the second markup language would not require translation to the second markup language.

**Regarding dependent claims 9, 17, and 25,** Leamon discloses wherein the post-processing includes transforming a document from the first channel in a first markup language into a document returned to the first channel in the second markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

**Regarding dependent claims 10, 18, and 26,** Leamon discloses wherein the first markup language includes a generic type of markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

**Regarding dependent claims 11, 19, and 27,** Leamon discloses wherein the generic markup language is a standard markup language such as abstract markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

**Regarding dependent claims 12, 20, and 28,** Leamon discloses wherein the second markup language includes a device-specific markup language in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

**Regarding dependent claims 13, 21, and 29,** Leamon discloses wherein the post-processing includes using a rendering engine in fig. 2, 4-7, and paragraphs [0019]-[0021] and [0025]-[0029].

***Response to Arguments***

4. Applicant's arguments filed 13 Feb. 2006 have been fully considered but they are not persuasive.

Applicant argues Leamon does not address retrieving information from multiple channels that come from both rendering and non-rendering providers. Further, Leamon does not teach aggregating information retrieved from multiple channels, which are a mix of both rendering and non-rendering channels, before reformatting such information for the specific display device.

The examiner disagrees.

Leamon teaches in some embodiments, the independent content provider maintains several forms of content (rendering and non-rendering) applicable to different classes of devices. Leamon also teaches the independent content providers may format it's information in standard markup language format. Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in that art that only the content received that was not in a standard markup language format, would be reformatted to a standard markup language format before it is customized for a particular device and browser that will display the information to the user (0020-0021; 0025-0026). According, Leamon teaches, "retrieving information from multiple channels that come from both rendering and non-rendering providers".

Similarly, Leamon teaches, "aggregating information retrieved from multiple channels, which are a mix of both rendering and non-rendering channels" in that only



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the content received that was not in a standard markup language format, would be reformatted to a standard markup language format before it is customized for a particular device.

### ***Conclusion***

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAMES DEBROW  
EXAMINER  
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A handwritten signature in black ink, appearing to read 'Doug Hutton', with a stylized, looping flourish at the end.

DOUG HUTTON  
PRIMARY EXAMINER  
TECH CENTER 2100